

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 2, 1976
10:00 A.M.Council Chambers
301 West Second Street

The meeting was called to order with Mayor Pro Tem Snell presiding.

Roll Call:

Present: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Linn, Trevino

Absent: Mayor Friedman

The Invocation was delivered by REVEREND JACK HEACOCK, United Methodist Church.

RECOGNITION

Mayor Pro Tem Snell took this opportunity to recognize some of the students from Austin Community College that were visiting the Council Meeting. He noted that Councilmember Hofmann had worked with the class earlier in the week.

WOMEN'S VOLLEYBALL WEEK

Mayor Pro Tem Snell read and then presented a proclamation to Ms. Donna Lopiano proclaiming the week of December 6-12, 1976, as "Women's Volleyball Week" in Austin and urged all residents to join the Council in welcoming these visiting athletes to our City and to attend the games. Ms. Lopiano thanked the Council for this recognition and noted that this was the first time that the National Volleyball Championship Tournament had been held at the University of Texas. She then presented each of the Councilmembers with T-shirts that would be worn in the tournament. Ms. Lopiano stated that Councilmember Linn would participate in the event by attempting to make a world volleyball serve distance record to be submitted to the Guinness World Book of Records. She noted that Mayor Friedman would be officiating the event. Ms. Lopiano noted the event would be held on December 8, 1976, at 7:30 p.m.

SILVER GLOVES BOXING WEEK

Mayor Pro Tem Snell read and then presented a proclamation to John Blankenship, Austin Sertoma Club; Ray Lopez, Director of the Montopolis Recreation Center; and Hector Fabela, Chairman of Montopolis Board, proclaiming the week of December 5-11, 1976, as "Silver Gloves Boxing Week" in Austin and urged all citizens to join the Council in attending this event and in supporting the local boxing program and the worthy efforts of the Austin Sertoma Club. Mayor Pro Tem Snell displayed a poster advertising the program. Mr. Blankenship thanked the Council for the proclamation and noted their appreciation in being able to help young children by the funds collected from the event. Mr. Fabela extended a special thanks to the Sertoma Club and invited all to attend the event. Mr. Lopez thanked the Council on behalf of the Parks and Recreation staff and looked forward to the event being a success.

APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes for November 18, 1976, and the Special Council Meeting of November 22, 1976. The motion, seconded by Councilmember Lebermann, carried by the following vote:

- Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Linn, Trevino
- Noes: None
- Absent: Mayor Friedman

ZONING HEARINGS

Mayor Pro Tem Snell announced that the Council would hear the zoning cases scheduled for 10:00 a.m. for public hearing at this time. Pursuant to published notice thereof, the following zoning cases were publicly heard:

<p> THERON S. BRADFORD, U. S. Highway 183 TRUSTEE By Phil Mockford C14-76-085 </p>	<p> From Interim "AA" Residence 1st Height and Area To "GR" General Retail and "A" Residence (Tract 1) 1st Height and Area and "C" Commercial 1st Height and Area (Tract 2) RECOMMENDED by the Planning Commission as amended </p>
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Mr. Dick Lillie, Director of Planning, reviewed the application and stated that the applicant agreed to amend his application to provide for a 25-foot strip of "A" along U. S. Highway 183. This "A" strip will provide driveway control and area for landscaping. Applicant was present.

Councilmember Linn moved that the Council grant "GR" General Retail and "A" Residence, 1st Height and Area (Tract 1) and "C" Commercial, 1st Height and Area District (Tract 2), as amended, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Linn, Trevino
 Noes: None
 Absent: Mayor Friedman

The Mayor announced that the change had been granted to "GR" General Retail and "A" Residence, 1st Height and Area District (Tract 1) and "C" Commercial, 1st Height and Area District (Tract 2), as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

JOE F. GRAY AND F. H. BECKER, JR. C14-76-100	8538 Research Boulevard also bounded by Fairfield Drive	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area RECOMMENDED by the Planning Commission
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Mr. Lillie stated this was an existing use prior to annexation and is non-conforming. The applicant was present.

Councilmember Linn moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Linn, Trevino, Mayor Pro Tem Snell
 Noes: None
 Absent: Mayor Friedman

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover. The motion, seconded by Councilmember Linn, carried by the following vote:

FRANK T. SMITH C14-76-092	619 West 37th Street also bounded by King Street and Maiden Lane	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area RECOMMENDED by the Planning Commission subject to additional right-of-way on King Street and a restrictive covenant limit- ing the number of residential units to four (4) until King Street is widened from Maiden Lane to West 38th Street.
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Mr. Lillie reviewed the area and noted that "B" zoning had been granted in the area within the last few years. The Planning Commission expressed concern about density and therefore recommended that the "B" Residence zoning

be granted subject to a limitation of four units until King Street is widened by the City, at which time the deed restriction will be lifted. The applicant is in agreement with the recommendation, and is present.

Councilmember Himmelblau moved that the Council grant "B" Residence, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Hofmann, carried by the following vote:

- Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor Pro Tem Snell, Councilmember Himmelblau
- Noes: None
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the change had been granted to "B" Residence, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

EUGENE WUKASCH AND
EARL WUKASCH
By David Faust
C14-76-103

Rear of 5225 North
Lamar Boulevard, also
bounded by Hussache
Street

From "O" Office
1st Height and Area
To "LR" Local Retail
1st Height and Area
RECOMMENDED (as amended) by
the Planning Commission
subject to a restrictive
covenant providing for land-
scaped privacy screening along
the east property line.

Mr. Lillie stated that the applicant desires to extend the garden center and since this portion of the tract is zoned "O" Office, it would require a zoning of "LR" Local Retail for the extension of use. The Planning Commission noted that several years ago when this case was before the Council, that a strip of "A" Residence was retained on the residential street. Therefore, the Commission requested that a strip of landscaping along the east property line be installed to preserve the residential character of the area. The applicant is in agreement with this condition, and was present.

Councilmember Linn moved that the Council grant "LR" Local Retail, 1st Height and Area District, as amended, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Hofmann, carried by the following vote:

- Ayes: Councilmembers Lebermann, Linn, Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann
- Noes: None
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

CLARK L. AND
DORICE M. JEFFERIES
C14-76-088

9508 Jollyville Road
(Old Burnet Road) at
Loop 360

From Interim "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended by the Planning
Commission
RECOMMENDED "GR" General Retail
1st Height and Area for the
proposed area of the buildings
and "LR" Local Retail 1st
Height and Area for the
remainder of the tract.

Mr. Lillie stated that the zoning change would allow the applicant to establish an arts and crafts shop. He noted that the Planning Commission received opposition from the neighborhood groups regarding the "GR" General Retail zoning. They felt it would be too permissive. The recommendation is that the "GR" General Retail be applied only to the two building locations, and the remainder of the tract be zoned "LR" Local Retail. In response to Councilmember Himmelblau's question as to the zoning reverting back to "LR" Local Retail if the usage was not enforced, Mr. Lillie commented that it would not revert automatically but a new application would have to be filed. He felt that this would be something to discuss with the owner. Councilmember Himmelblau stated that once the "GR" General Retail is granted, then it would dominoe and she felt the neighborhood would not be protected indefinitely.

Councilmember Linn moved that the Council grant "GR" General Retail, 1st Height and Area District for the proposed area of the buildings and "LR" Local Retail, 1st Height and Area District for the remainder of the tract, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

- Ayes: Councilmembers Linn, Trevino, Mayor Pro Tem Snell,
Councilmembers Hofmann, Lebermann
- Noes: Councilmember Himmelblau
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the change had been granted to "GR" General Retail, 1st Height and Area District, for the proposed area of the buildings and "LR" Local Retail, 1st Height and Area District, for the remainder of the tract, and the City Attorney was instructed to draw the necessary ordinance to cover.

HOWARD E. BRUNSON
C814-76-009

1608 West 6th Street,
also bounded by West
Lynn Street

From "B" Residence
1st Height and Area
To a 30-unit Planned Unit
Development called "Springhill"
RECOMMENDED by the Planning
Commission

Mr. Lillie reviewed the zoning request and stated that the developer does desire to build a Planned Unit Development and distributed the site plan to the Council. He noted that the plan had been reviewed by all of the necessary City departments and certain technical requirements established. Mr. Lillie stated that the Planning Commission recommended its approval. Councilmember Himmelblau stated she was very pleased to see this type of development instead of apartments. The applicant was present.

Councilmember Linn moved that the Council grant the 30-unit Planned Unit Development, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

- Ayes: Councilmembers Linn, Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
- Noes: None
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the change had been granted to a 30-unit Planned Unit Development, and the City Attorney was instructed to draw the necessary ordinance to cover.

<p>ST. DAVID'S EPISCOPAL CHURCH Protestant Episcopal Diocese of Texas, owner C14h-74-017</p>	<p>300 East 7th Street</p>	<p>From "C" Commercial 4th Height and Area To "C-H" Commercial-Historic 4th Height and Area RECOMMENDED by the Planning Commission</p>
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Mr. Lillie stated that St. David's Church is the oldest Protestant church in its original location in the City. The cornerstone was laid in 1853. It was unanimously recommended for historic zoning by the Historic Landmark Commission.

Councilmember Linn moved that the Council grant "C-H" Commercial-Historic, 4th Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

- Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Linn
- Noes: None
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the change had been granted to "C-H" Commercial-Historic, 4th Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

SOUTHWESTERN TELEGRAPH 410 Congress Avenue
& TELEPHONE COMPANY
BUILDING
Ivan Williams and
Jack Price, owners
C14h-76-016

From "C-2" Commercial
4th Height and Area
To "C-2-H" Commercial-Historic
RECOMMENDED by the Planning
Commission

In reviewing the application, Mr. Lillie commented that this request involved a name change from the Frank Brown Building to Southwestern Telegraph and Telephone Company, which had been requested by the owners. He stated that the structure was built in 1886 and the Landmark Commission unanimously recommended the Historic zoning. The applicant was present.

Councilmember Linn moved that the Council grant "C-2-H" Commercial-Historic, 4th Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Hofmann, carried by the following vote:

- Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Linn, Trevino
- Noes: None
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the change had been granted to "C-2-H" Commercial-Historic, 4th Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

The Council heard and DENIED the following zoning changes:

<p>WILSON FOREMAN, ET UX C14-76-102</p>	<p>3406-3416 Duval Road</p>	<p>From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area NOT Recommended RECOMMENDED by the Planning Commission "C" Commercial, 1st Height and Area for the area of the existing building with a 20-foot corridor of "O" Office linking the "C" Commercial area to Duval Road</p>
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In response to Councilmember Linn's question, Mr. Lillie stated that the Northwoods subdivision was approved about three or four years ago and is located in the City limits. He pointed out that Mr. Foreman's property is located in a corridor and he has existing commercial uses on his tract that are presently non-conforming. Mr. Foreman desires to obtain the zoning so he could continue or expand the use.

In response to Councilmember Trevino's question, Mr. Lillie noted that the applicant's concern is that if damage occurs to his property, he would not be able to rebuild unless he had the necessary zoning.

In response to Mayor Pro Tem Snell's question concerning the Planning Commission's vote, Mr. Lillie commented that there was a conflict of interest among the members and therefore the vote showed only two supporting the zoning change. The staff recommended this change be denied.

Motion

Councilmember Linn moved that the Council deny the request for a zoning change. The motion was seconded by Mayor Pro Tem Snell.

In response to Councilmember Trevino's question concerning allowance of this type of zoning, Mr. Lillie stated that the non-conforming businesses may continue to operate at the level they operated upon annexation. Any expansion of the business would necessitate a zoning change. Councilmember Linn felt that this area would be a residential area and this zoning change would allow for commercial zoning to be situated in the middle of a residential area. Applicant was not present.

Roll Call on Motion

The motion carried by the following vote:

Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Linn

Noes: None

Absent: Mayor Friedman

The Mayor Pro Tem announced that the change had been DENIED.

BERT L. GRIGGS
C14-76-095

6006 Cameron Road

From "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended by the Planning
Commission
RECOMMENDED "O" Office, 1st
Height and Area, subject to
approximately 21 feet of
right-of-way on Cameron Road.

Mr. Lillie noted that the zoning request is for "GR" General Retail and that at the present time there is a day care center located on the property and the "GR" General Retail zoning would permit the applicant to proceed with improvements on the tract.

MR. BERT L. GRIGGS, owner of the property, stated that at the present time, the property is in a non-conforming use and by donating the 21 feet of right-of-way, he felt that a non-conforming setback would be created. Mr. Griggs asked that the Council consider granting the "GR" General Retail and he would relinquish the 21 feet providing that the City would allow him to deed the property to the City after he obtained a permit to make the necessary improvements to the property. Councilmember Himmelblau pointed out that Mr. Griggs could make the improvements to his day care center by obtaining the special permit.

Mr. Lillie commented that the recommendation is that the Council grant the "O" Office requiring the right-of-way and the ordinance will not be brought back to the Council until the work has been completed and everything will be in conformance.

Motion

Councilmember Hofmann moved that the Council grant the zoning change as recommended by the Planning Commission. The motion was seconded by Councilmember Linn.

Mr. Griggs reiterated his remarks concerning his request for the "GR" General Retail zoning and stated he would not agree with the recommendation of "O" Office. Councilmember Himmelblau felt that day care centers, under special permit, could be in any neighborhood and with the permit, Mr. Griggs would not have to give the right-of-way for the widening of Cameron Road. She felt he would be better to go the special permit route.

Councilmember Linn stated that if the "GR" General Retail is not granted and Mr. Griggs refuses to accept the "O" Office, then the request could be denied, thereby allowing Mr. Griggs the opportunity to go through the special permit process.

Withdrawal of Motion and Second

Councilmember Hofmann withdrew her motion and Councilmember Linn withdrew her second.

Motion

Councilmember Linn moved that the Council deny the zoning request. The motion, seconded by Councilmember Trevino, carried by the following vote:

- Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Linn, Trevino
- Noes: None
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the change had been DENIED.

Councilmember Himmelblau asked that Mr. Lillie and his staff give Mr. Griggs all of the necessary help he will need in getting his permit.

CARL W. BURTON,
ET UX
By James G. Jensen
C14-76-098

8515 Contour Drive,
also bounded by Ohlen
Road

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended by the Planning
Commission

Mr. Lillie stated that the Planning Commission recommended denial of this zoning change because they felt it would be an intrusion into the neighborhood. The applicant was not present.

Councilmember Linn moved that the Council deny the requested zoning change. The motion, seconded by Councilmember Trevino, carried by the following vote:

- Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor Pro Tem Snell, Councilmember Himmelblau
- Noes: None
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the change had been DENIED.

MRS. M. H. GOLDSMITH By Charles E. Webb C14-76-101	1318 West 5th Street, also bounded by Pressler Street	From "C" Commercial 1st Height and Area To "C-2" Commercial 1st Height and Area NOT Recommended by the Planning Commission
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In reviewing this application, Mr. Lillie stated that if the zoning change was granted, it would allow for the sale of and consumption of liquor on the premises. He noted that a valid petition, 38%, had been filed by the property owners in the area which states their objection to this application. Mr. Lillie stated that the application comes before the Council with the valid petition and a recommendation of denial by the Planning Commission and it would take 6 votes to override the petition and recommendation.

MRS. PAULINE WEBB, lessee of the property, pointed out that "C-2" Commercial does exist in this same area and noted several establishments that are currently operating as bars. She felt that the City had made no attempt to close these illegal operations. City Manager Davidson commented that a lawsuit had been filed on the illegal operation of one of the businesses referred to by Mrs. Webb. Mrs. Webb felt if these businesses were allowed to operate under "C-2", then she should be also. City Manager Davidson pointed out that the lawsuit had been filed by the City, but this would take time to resolve the issue.

WOODROW PATTERSON, representing Mr. and Mrs. Ed Alley, appeared in opposition to the zoning change. He expressed concern about the neighborhood and the possibility of increased noise and disorderly conduct if this request were granted.

MRS. ANTONIA MARTINEZ, 505 Oakland, also opposed the zoning request for the same reasons as Mr. Patterson, and stated that she wanted the area to be kept residential.

MRS. ED ALLEY, stated that she wanted to see "C" Commercial and residential zoning work together, but she did not want to have the sale of liquor in the neighborhood.

Mrs. Webb reiterated her remarks and felt that the presence of liquor is already in the neighborhood and her zoning request would be no different. She said the pool hall would remain with or without the zoning change and they only wanted to sell beer.

Councilmember Linn moved that the Council deny the requested zoning change. The motion, seconded by Councilmember Hofmann, carried by the following vote:

- Ayes: Councilmembers Lebermann, Linn, Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hoffmann
- Noes: None
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the zoning had been DENIED.

The Council POSTPONED the following zoning change:

<p>WALNUT HOLLOW BUSINESS PARK By William C. Montandon C14-76-097</p>	<p>F. M. 969 and Johnny Morris Road</p>	<p>From Interim "A" Residence 1st Height and Area To "DL" Light Industrial 1st Height and Area NOT Recommended by the Planning Commission RECOMMENDED "GR" General Retail 1st Height and Area on Lots 1 and 2 of the proposed Walnut Hollow Subdivision (C8s-76-193), subject to the dedication of 20 feet of right-of-way on Johnny Morris Road; and post- pone a recommendation on the remainder of the tracts.</p>
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Mr. Lillie stated that this area was annexed by the City in the last few years and these tracts were designated by the Council and Planning Commission as Commercial Service and Semi-Industrial use. He commented that the staff had recommended the "DL" Light Industrial as being in conformance with the comprehensive plan. At the Planning Commission hearing they felt they could not proceed with the total tract until they had some idea from the Parks and Recreation Department on the needs for parkland in this particular area. As a result, the Planning Commission postponed action on all of the area, with the exception of two lots on the northeast corner of Johnny Morris Road and Martin Luther King, Jr., Boulevard. The recommendation on these two lots is "GR" General Retail and the requirement of the right-of-way on Johnny Morris Road. Mr. Lillie noted that all of this area falls in the flood plain of Walnut Creek and because it is in the City limits, it would be required to meet the City ordinances pertaining to the Federal Flood Insurance Program and a Creek Permit. Mr. Lillie stated that the applicant is not in agreement with the recommendation of the Planning Commission, but wants "DL" Light Industrial for the two tracts.

MR. WILLIAM MONTANDON, applicant, stated that his request is for the entire area to be "DL" Light Industrial and expressed concern about what he would do with the remainder of the land if only the two lots are zoned. Mr. Lillie commented that the Parks and Recreation Department will be making a report to the Planning Commission concerning the park needs in the area and asking for a recommendation on the remainder of the property so the Council can review it in the near future. Councilmember Himmelblau asked if Mr. Montandon would agree to a postponement until additional information is available for the Council concerning this case. Mr. Montandon stated this would be fine.

Councilmember Himmelblau moved that the Council postpone action on this zoning case until additional information has been received. She requested that this be put on the January agenda for the regularly scheduled zoning. The motion, seconded by Councilmember Lebermann, carried by the following vote:

- Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Linn, Trevino, Mayor Pro Tem Snell
- Noes: None
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the zoning had been POSTPONED."

PUBLIC HEARING ON APPEAL OF DENIAL OF SPECIAL PERMIT FOR THE VILLAGE SHOPPING CENTER

Mayor Pro Tem Snell opened the public hearing scheduled for 11:00 a.m. on an appeal from Mr. Mike O'Dell concerning the Planning Commission's decision to deny Special Permit C14p-76-041 for The Village shopping center. Mr. Lillie stated that the applicant had filed for a Special Permit but the Planning Commission felt the intended use of the building, which is for an amusement center, would be too close to a residential area and therefore denied the Special Permit. The applicant then filed an appeal and Mr. Lillie commented that the Council had a copy of the site plan for review.

MR. MIKE O'DELL, applicant and representative of the owners of The Village shopping center, reviewed his reasons for appealing the decision of the Planning Commission, which included only five members present at the Planning Commission, the hour the case was heard was very later, and the members were tired. Mr. O'Dell commented that he had accepted the City recommendations involving his Special Permit and felt the City was in support of his request.

Mr. O'Dell referred to two points in question involving the City recommendations, which were as follows:

1. Moving the proposed project to the south end of the building. Mr. O'Dell stated that this would be impossible and would have to be located in the north end.
2. The Urban Transportation Department required that a sidewalk be placed along the north boundary of The Village shopping center. He stated that after talking with Mr. Joe Ternus, Director of Urban Transportation, he was in agreement with the sidewalk.

In conclusion, Mr. O'Dell felt his appeal of the Planning Commission's decision was in order. He then introduced Mr. Leroy Rudd, the proposed tenant, to describe the operation that would be located in the building if the Special Permit was granted.

MR. LEROY RUDD, proposed tenant, presented a slide presentation which showed the type of establishment he was proposing for the building. In his presentation, Mr. Rudd stated that he felt youth centers should be placed in well-supervised and well-patrolled areas and should be easily accessible to their homes. He referred to a similar establishment in Houston which has pool tournaments and noted it was an organized activity. Mr. Rudd stressed the importance of controlling young people and stated that this was a major concern of his. He noted that full-time security people are hired to patrol the parking lot in order to reduce noise and litter. Mr. Rudd concluded by stating that he was unaware of the petition opposing this operation and thought there was limited opposition to the proposed operation.

In response to Councilmember Himmelblau's question concerning hours of operation, Mr. Rudd stated that he would be willing to operating hours of 12:00 a.m. closing Monday through Thursday during school term; 2:00 a.m. closing on Friday and Saturday.

MR. DON CRAWFORD, 2505 Ashdale, appeared in opposition to the request and noted that in addition to the petition that had been filed already, he submitted another one which represented home owners on the other side of Ashdale Drive and other streets. This brings the total to 39 names opposing this Special Permit. Mr. Crawford noted that he was not opposed to the type of establishment but was opposed to it being placed in his area, more specifically, in his backyard. His main points of opposition were regarding litter and noise. In conclusion, Mr. Crawford asked the Council to deny this request.

Councilmember Trevino asked Mr. Crawford if the fence separating the Village shopping center and his property was a solid one all the way, would he still oppose the operation. Mr. Crawford stated he would still be opposed. Councilmember Himmelblau suggested that possibly the parking spaces abutting the fence could be closed off after a certain hour to alleviate some of the problems. Mr. Crawford felt this would help some but the noise problem would still be present. In response to Councilmember Trevino's question, Mr. Crawford stated that he had talked to Mr. Rudd about the neighbors concerns and felt that no agreement could be reached. He suggested that this request be denied and maybe in the future when this type of request comes up that the neighborhood meet with The Village Shopping Center representatives. Councilmember Trevino stated that there would be no assurance that whatever business is placed in the building, that there would not be any noise or possible litter.

SHAR DYSON commented that she had lived near this type of proposed establishment before and pointed out that the noise and litter problems are very much a major concern. Councilmember Hofmann felt there was a difference between pool halls and the type of activity Mr. Rudd had planned for his operation. Councilmember Linn also noted that Mr. Rudd had assured maintenance of the area.

JANE TEMPLETON, 2511 Ashdale, appeared in opposition to the request and stated that she was already bothered by racing cars at night in The Village parking lot; a lack of security patrol and a promise from The Village Shopping Center that shrubs would be put in as part of their landscaping. Councilmember Hofmann stated that if certain conditions were part of the zoning granted to The Village Shopping Center several years ago, then this would be checked to see if they have or have not complied with them.

ARTIE GARNER, 2509 Ashdale, opposed the request and stated that he objected to this type of establishment and felt that it encouraged and undesirable people.

In response to Councilmember Linn's question concerning an exit, Mr. Lillie stated that the staff report map indicates that the subdivision adjoining it has two dead end streets. When the area was subdivided, the intent was to provide additional residential land to the south, but this did not occur. In the past, vacation of the two streets has been considered and this would require participation by the owners and notice to the owners of the Village Shopping Center. Mr. Lillie commented that he would be happy to visit with the owners again to see if they would be interested in vacating the two streets.

Regarding the landscaping, Mr. Lillie noted that the only requirement involved the parking and a solid 4-foot fence is required. Mayor Pro Tem Snell informed Mr. Lillie that the Council does recommend that these concerned home owners be contacted regarding the vacation of the streets and the requirement for the fence.

CAROL McCORMICK, 2603 Ashdale, stated that Parkdale Street had been closed already. She stated that she lives behind The Village Theatre and has a problem of noise most of the night. She also noted the problem of racing cars and empty buildings in the rear of The Village Shopping Center.

Mr. Rudd stressed that other pool halls are not like the type of operation he was proposing. He also questioned the legality of the petition and stated that he was willing to compromise with the neighbors on the controversial points.

Mr. O'Dell noted his concern about the parking situation in the rear of The Village. He stated that during the day the parking is very condensed, and he felt that the best use of the building in question would be for some type of evening activity. Mr. O'Dell commented that he did not think the noise and trash problem would be a great problem and noted that when he negotiated a lease with Mr. Rudd, he required that security and trash pickup would be mandatory. He then read a letter signed by The Village Shopping Center President, which supported Mr. Rudd's request.

Mr. O'Dell pointed out that he had just recently become manager of the Village and was unaware of the problems cited by the neighbors such as the speeding and insufficient security. He then outlined his objectives for The Village Shopping Center briefly as follows:

1. Repair of the gaps in the fence located at the rear of The Village property.

- 2. Concern regarding the dumpsters located at the rear of the buildings and the noise associated when dumping garbage late at night will be investigated.
- 3. The installation of speed bumps to control excessive speeds.
- 4. Installation of sidewalks along Anderson Lane.

In response to Mayor Pro Tem Snell's question as to effort put forth in informing the neighborhood of these proposed objectives, Mr. O'Dell stated that he tried to meet with the neighbors, however, this never materialized. He felt that possibly the neighbors were a bit reluctant because of a lack of cooperation from the past managers of The Village.

FRANCES PHILLIPS, 2503 Ashdale, stated that the neighbors felt that after the petition was submitted there was no need to meet with Mr. O'Dell. She then referred to the problem involving the dumpsters and noted that they are a health hazard. She noted her opposition to this type of establishment coming into the Village.

Mrs. McCormick noted that the reason the neighbors were apprehensive about contacting Mr. O'Dell was because of a lack of cooperation from past managers. In response to Councilmember Linn's question, Mrs. McCormick stated she was definitely opposed to this Special Permit. Councilmember Hofmann stated that she felt there had been a lack of good faith involved in this situation as well as a lack of communication.

Motion - Died

Councilmember Hofmann moved that the Council postpone the public hearing and urge the participants to meet with the neighbors to discuss the proposed improvements; then the applicant can come back to the Council after these meetings and improvements and resubmit his appeal. The motion died for lack of a second.

Motion

Councilmember Linn moved that the Council close the public hearing and uphold the recommendation of the Planning Commission to deny Special Permit C14p-76-041 for The Village Shopping Center. The motion, seconded by Councilmember Lebermann, carried by the following vote:

- Ayes: Councilmembers Himmelblau, Lebermann, Linn, Trevino,
Mayor Pro Tem Snell
- Noes: Councilmember Hofmann
- Absent: Mayor Friedman

The Mayor Pro Tem announced that the Special Permit had been DENIED. He pointed out to the applicant that he should contact the neighborhood and discuss his plan and then he could possibly come back for a Special Permit. He stressed the importance of meeting with the neighborhood before attempting this type of operation.

AFTERNOON SESSION
2:00 P.M.

Mayor Pro Tem Snell called the afternoon session to order.

INTRODUCTION

Mayor Pro Tem Snell took this opportunity to introduce some visiting students from Cunningham Elementary School and the teacher, Mrs. Metzker. After the students introduced themselves, Mayor Pro Tem Snell invited them to attend a Council meeting again.

APPEARANCE CONCERNING WATER DAMAGE TO PROPERTY.

MR. RON WEDDINGTON, representing Mr. Jean Thompson, appeared before the Council to discuss property being washed away by water from a City drainage ditch, located at 8439 Bangor Bend. Mr. Weddington explained the problem by stating that Mr. Thompson's backyard is being slowly washed away by the water from a City drainage located next to his property. He stated that this situation has been occurring since last spring and his efforts in obtaining any solution to the problem from the City have not been very successful. Mr. Weddington then distributed to the Council pictures showing the present condition of the property being discussed. He felt the City was liable for this problem and asked that they do whatever necessary to correct it.

Mr. Charles Graves, Director of Engineering, presented slides illustrating the situation and stated that work had been done on the channel. He felt that the location of the fence on the property was too close to the creek and they should place it back away from the ditch. Mr. Graves noted that the soil is loose, causing the fence to fall and this makes it inadequate for the existing conditions. He noted that a concrete wall could be constructed and if recommended by the City, the cost would be divided 50/50 with the property owner, subject to availability of funds. In response to Councilmember Linn's question as to the problem of the fence being built too close to the ditch or the erosion of the ditch, Mr. Graves noted that it was a combination of both. In response to Councilmember Hofmann's question concerning the use of a gabion, Mr. Graves commented that gabions could be used but it would be expensive due to high labor costs.

In response to City Manager Davidson's question, Mr. Graves commented that there was approximately 60 miles of this type ditch abutment. Mr. Davidson pointed out there was no money for this type of thing in the Capital Improvements Program or the Annual Operating Budget. Councilmember Hofmann suggested that it be done as a community project. City Manager Davidson stated that he would be happy to consult with the property owner and offer suggestions as to what he might do in addition to moving the fence in order to enhance the property.

Mr. Weddington referred to a slide and pointed out how a utility pole was almost in the drainage ditch and he felt the City has not given sufficient easement in this matter. Mayor Pro Tem Snell informed Mr. Weddington that the

staff would investigate this complaint and return to the Council with a report on the situation. He stated that Mr. Weddington would be informed of the date this report would be presented.

REQUEST TO CHANGE DATE OF STREET CLOSURE

Councilmember Lebermann moved that the Council grant a request from Reverend Merle G. Franke, Pastor, First English Lutheran Church, to change the date previously granted for closing of Whitis Avenue between 30th and 31st Streets, Sunday, December 5, 1976, be changed to Sunday, December 12, 1976. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor
Pro Tem Snell, Councilmember Himmelblau
Noes: None
Absent: Mayor Friedman

APPEARANCE TO PRESENT A BOOK TO THE COUNCIL

MR. CHARLES B. CROFT, President, Austin Chapter American Institute of Architects, appeared before the Council to present the Council with the first copies of the book entitled "Austin and Its Architecture." Mr. Croft stated that he was also representing the Women's Architectural League and both groups wanted to present this book to the Council as their Bicentennial gift to the City of Austin. Mr. Croft then introduced one of the editors of the book, Mr. Al McCree, and the past President of the Women's Architectural League, Mrs. Pat Martin. Mr. Croft reviewed the contents of the book and noted the many hours of volunteer work that were expended in composition of the book.

Mr. Croft also presented a copy of the book to Mr. Beverly Sheffield, formerly Director of the Bicentennial Affairs Office, and the record would be opened in the year 2076.

Councilmember Lebermann expressed his appreciation for this gift and felt that it was extremely well done. Mayor Pro Tem Snell stated that Mayor Friedman was not present to receive his copy of the book because he had to go to Florida to accept an award, but Mayor Pro Tem Snell noted Mayor Friedman's appreciation and thanks for the gift.

PUBLIC HEARING ON THE USE OF SOLID FUEL IN COAL-FIRED PLANTS

Mayor Pro Tem Snell opened the public hearing scheduled for 2:30 p.m. and Councilmember Linn introduced Mr. Lorin McCarthy, Vice President of Tracor Marksman. Mr. McCarthy stated that his company dealt with RDF or Refuse Derived Fuels. In terms of research and development, Tracor Marksman has produced three practical types of fuels, these being shredded, pelletized and powdered. Pellets are used with grate or stoker fired energy consuming devices. Shredded and powdered fuels are used with suspension fired elements. All three fuels contain an average of 13,500,000 BTU's per ton.

Mr. McCarthy stated that the material called solid waste can be converted into useable energy that can supplement most hydrocarbon fuels now in use. He stated that there were variables to RDF acceptability, and that these lie primarily in the area of preparation, the percent replacement in the energy consuming device, the cost of modification to allow its use and the availability of solid waste.

Mr. McCarthy presented a schematic of a plant design presently being considered. This plant is to process 1000 tons per day (TPD) of municipal solid waste, and to produce fuel pellets as well as to extract the ferrous fraction, mainly tin cans. The plant consists of two, 500 TPD processing lines, with the incoming waste being dumped from trucks directly into the push pits. The waste is then conveyed to trommels, where the incoming material is screened to remove as many glass items as possible and bypass the primary shredder, where it then rejoins the main process lines distal to the primary shredders. The material not screened by the trommel is conveyed to the primary shredders which shred the material to a particle the size of 5 inches or less. The bypassed and shredded material is conveyed to a belt magnet, where the ferrous fraction is removed and transferred to retention hoppers. The residual material is then air classified in two stages. The heavy fraction is conveyed to retention hoppers and then transferred to the landfill. The light fraction undergoes another shredding operation to reduce the particle size to 1-2 inches. This material is pneumatically conveyed to live bottom storage hoppers for temporary storage, and then distributed to the pelletizers. The pellets are then conveyed to the final fuel storage hoppers.

Mr. McCarthy presented a run-down of the rated horsepower, tonnage processed, and horsepower-hour per ton for each piece of equipment. The total connected power is 7674 Hp (electrical; 1 Hp = 746 Watts), or 5723 Kw pure (5.723 MW), or, say, about 7674 Kw with losses; hence, the connected energy per pound of fuel is:

$$\frac{7674 \text{ Hp-Hr.}}{83T} = 92.5 \frac{\text{Hp-Hr}}{T} * \frac{2544 \text{ Btu}}{2000 \text{ Hp-Hr}} = 117.7 \text{ Btu/lb.}$$

Mr. McCarthy stated that the actual energy used was less than the connected load which is 85.09 Hp-Hr/ton, or 108.2 Btu/lb. He stated that the ratio of processed fuel value to the process energy is approximately 6500/108.2 or a ratio of 60 to 1.

Mr. McCarthy stated that pelletizing the RDF is one of the most costly operations from an energy viewpoint. If the RDF can be burned directly, without going through this step, the operating costs as well as the capital costs can be reduced; however, if the fuel is not pelletized, the storage and handling problems are more difficult and costly to solve. He stated that the design of the thermal element has to be considered in choosing the form of RDF to be used. The basic problems which must be considered are clinker formation, the added fly ash, and the potential corrosion in the boiler tubes.

By removing most of the glass, ferrous metals, and basically using only the light fraction obtained by air classification, the problems of clinker formation and corrosion can be reduced greatly. The proper use of electrostatic precipitators in the exhaust stack has been demonstrated as a successful method of reducing the particulates to the point that pollution standards can be met. It should be noted that RDF has a low sulfur content, and therefore, SO₂ is not considered a problem.

The RDF has some variability in regard to its heating value, partially due to varying moisture content as well as the variability in product composition. The effect of this variability can be reduced by efficient air classification and the use of pellets which are less moisture absorptive than shredded RDF. Generally, RDF should be considered as a supplemental fuel and burned in conjunction with coal or other primary fuel. The percentage by weight of RDF to coal or coke, which has been successfully used, is in the order of 15 to 25 percent, depending on the application and design of the thermal system. The form of the RDF, whether in the shredded state, pellet state, or powder state, is primarily a function of the thermal element design and fuel feed system.

Mr. McCarthy stated that the best method of storing refuse-derived fuels is in pelletized or briquetted form. The pellets decrease the storage volume required, since the shredded material is considerably compressed in the pellet form. Further, the pellets have a hard outer surface which increases the resistance to moisture pickup. The pellets are free flowing, and present no problems in storage removal or transportation. They can be metered much more easily than the shredded material to obtain controlled flow rates.

The capital costs are a function of the specific plant design, geographical location, plant site, new construction or modification requirements for the thermal system and the financing costs. The operating costs are dependent primarily on the geographical location, the site location in relation to the landfill and energy user(s), the cost of the electrical power and utilities, the equipment selection and, to a lesser degree, on the specific plant design.

The approximate costs to produce fuel pellets from solid waste is about \$0.55 per million Btu's. The figures below are based on rates for a particular location, and also are dependent on specific equipments and efficiencies; but they are indicative of the costs involved.

ESTIMATED OPERATING COSTS
(fuel in pellet form)

<u>Expense Item</u>	<u>Cost/Fuel Ton</u>	<u>Cost/Million Btu's</u>
Power at 2.37¢ per kw-hr. <u>0.0237 x 7674</u> 83	\$2.190	\$0.168
Water at \$1 per 1,000 gal. <u>227 gallon x 0.001</u> Day 83	0.003	0.001
Labor - 18 men @ \$5.16/hr. avg. <u>18 x 5.16</u> 83	1.120	0.086
Maintenance Materials	<u>3.870</u> \$7.183	<u>0.298</u> \$0.553

If pelletizing is not deemed necessary, and the RDF can be used in the "fluff" form after secondary shredding to a particle size of 1-2 inches, the estimated operating costs are less, as shown below:

ESTIMATED OPERATING COSTS
(RDF in Fluff Form)

<u>Expense Item</u>	<u>Cost/Fuel Ton</u>	<u>Cost/Million Btu</u>
Power at 2.37¢ per kw-hr <u>0.0237 x 5289</u> 83	\$1.510	\$0.116
Water at \$1 per 1,000 gal. <u>227 gallon x 0.001</u> Day 83	0.003	0.001
Labor - 14 men @ \$5.16/hr. avg. <u>14 x 5.16</u> 83	0.870	0.067
Maintenance Materials	<u>3.30</u> \$5.683	<u>0.254</u> \$0.438

The revenue derived from selling the recovered ferrous fraction and RDF depends on the market for these commodities in the area, and the transportation costs involved. A reasonable average revenue can be estimated, however, assuming that the markets are available and that the processing plant is located adjacent to the fuel user and landfill.

The revenue per year, assuming the price of the commodities to be as stated, is shown below:

ESTIMATED ANNUAL REVENUE
(Based on 250-Day Operation Per Year)

	<u>Tons/Year</u>	<u>Revenue</u>
Tin Cans @ \$40/Ton	12,500	\$ 500,000
Fuel Pellets @ \$1/Million Btu	125,000	<u>1,625,000</u> \$2,125,000

PRO FORMA ANNUAL OPERATING STATEMENT

	<u>Pelletized RDF</u>	<u>Fluff RDF</u>
Revenues:		
Tin Cans	\$ 500,000	\$ 500,000
RDF	<u>1,625,000</u>	<u>1,218,750</u>
	2,125,000	1,718,750
Operating Costs	<u>897,875</u>	<u>710,375</u>
Net Revenue	1,227,125	1,008,375
Landfill Savings	<u>450,000</u>	<u>450,000</u>
Net Revenue and Savings	\$1,677,125	\$1,458,375

In conclusion, Mr. McCarthy stated that the power requirements, even if doubled, would represent a very high energy return. The choice of the form of RDF is dependent on the specific application. Although it is feasible to store and unload "fluff" RDF, the storage space, storage time and handling requirements are much less stringent for the pelletized form of RDF. The economic feasibility is much more difficult to assess and is highly dependent on the specific situation. The greatest deterrent is the high capital costs involved in the facility. If the entire plant cannot be financed at once, it may be desirable to build the front end system now, as a hedge against rising capital costs. (Tracor report not filed with the City Clerk).

Councilmember Himmelblau asked Mr. McCarthy about the environmental impact of lead emissions caused by the plant. Mr. McCarthy replied that electrostatic precipitators would be used to absorb the emissions. Mr. Roger Duncan stated that the design of the (front end) system would be dependent as to what use would be made of the processed solid waste. He questioned the assumption that burning solid waste for fuel is the best usage of solid waste. He stated that the Tracor process is a very extensive system and that it might be more than is necessary at the beginning. He recommended biological usage of solid waste as opposed to an energy intensive program.

MR. DON CALLOWAY of Ecology Action of Austin spoke before the Council. He recommended using human energy via a source-separation approach. He requested that any further study on solid waste development be referred to his organization.

Mr. Bob Beckham, Assistant Director of the Public Works Department, introduced MR. ED WISELY, Vice President of Horner and Shifrin, Inc. Mr. Wisely cited the following considerations which went into the preparation of their report:

1. An estimation of the quantities of solid waste that were recoverable for the energy and resources they contained.
2. Scrutiny of the markets available for whatever was recovered from the waste, be it energy or materials.

- 3. Assessment of the most practical process to accomplish energy recovery.
- 4. An evaluation of the most promising processes.

He stated that economic viability was dependent on whatever use could be made for the organic fraction of the waste. He stated that the most likely use of organic waste material was for energy. He stated that it became evident that a fuel would have to be developed that could be used with oil and gas fired boilers or the coal-fired boilers located in Fayette County. The main intent of their study fell into this area. He stated that from the standpoint of refuse quantities, they concentrated their efforts on the Travis County area. The amount of energy that could be produced would be equivalent to the amount of recoverable refuse generated within the City of Austin. About 83% of the necessary amount of refuse would be generated within Travis County and the City of Austin.

By scrutiny of the processes which were applicable for the City of Austin, some 21 different processes or variations were considered. They determined that 4 processes had the greatest promise for the Austin area:

- 1. A non-proprietary solid fuel process which produces a shredded material suitable for use in the coal-fired boilers of the new Fayette station about 70 miles from Austin.
- 2. A proprietary process which utilizes a chemical treatment to produce a material suitable for firing in solid fuel fired boilers.
- 3. Gas Pyrolysis - This produces a gas with a heating value of about 1/3 that of natural gas which can be used directly in oil-gas fired boilers. He stated that the new Decker station would be a likely place for this type of process.
- 4. Oil Pyrolysis - This produces an oil-like fuel similar to #6 fuel oil which could also potentially be used in the Decker station.

Mr. Wisely stated that of the preceding 4 processes, Gas Pyrolysis and the non-proprietary solid fuel process were considered to be the most applicable to conditions prevailing at this time in Austin. He stated that the Pyrolysis consisted of the front end and the back end system. The process is a form of distillation. It consists of a pre-processing step in which the raw waste is milled to 4-6 inch particles and the ferrous metals are removed. The material is then charged to reactors which produce the Pyrolysis gas. The process requires the use of oxygen to produce the gas at a quality commensurate with what is to be used in the Decker station. They visualized the Pyrolysis plant being located about 3 miles from the Decker station with a gas pipeline to the boilers at the plant. This could be used as supplementary fuel in facilities such as the Decker station. He stated that there were no commercial facilities of this type that have yet been built but there were several potential applications of the system that were under consideration.

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Mr. Wisely stated that the non-proprietary solid fuel process consists of milling the raw waste to particles that are suitable for firing to large boilers in suspension, the removal of magnetic materials as well as other materials that would not burn in suspension, the transportation of the burnable fraction to a suitable solid fuel fired power plant and firing the material pneumatically to the boilers. The firing of this material has to be confined to facilities with ash handling systems or in which such systems could be installed. He stated that the largest facility of this kind is located in St. Louis.

He stated the neither of the two most promising processes were lower in cost than sanitary landfill. From an economic standpoint, it would be more advantageous to keep a Pyrolysis plant in continuous operation rather than partial and that because of this reason resource availability was most important. He suggested that the cooperative program between the City and the County be continued and furthered to the greatest degree. He stated that the cost of fossil fuels was a main factor. Because of the fluid nature of cost for fossil fuels, it was hard to predict from one month to the next what the future cost will be. The cost of landfill was also cited as a factor. Landfill would continue to be needed as a means of disposal for materials that were not disposable by any other means. He stated that the cost of sanitary landfill was continuously going up also.

The recovery of resources from solid waste in the United States is a recent development but has been going on in Europe for quite some time. Its viability in a given community is assessed upon the conditions prevalent in that community. He stated that in Austin an implementation of either of the systems recommended could not realistically take place without a great amount of qualification. This was based strictly upon economics. It was therefore suggested that for the present, the effort towards energy and resource recovery, be confined towards the continuing scrutiny of the technologies, the cost of fossil fuels and their projections and the cost of sanitary landfill.

(The Horner & Shifrin, Inc. Report is not on file with the City Clerk's Office.)

Councilmember Linn moved that the Council close the public hearing. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Lebermann, Linn, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Mayor Friedman

Not in Council Chamber when roll was called: Councilmember Trevino

RELEASE OF EASEMENTS

Councilmember Himmelblau moved that the Council adopt a resolution authorizing release of the following easement:

Two and one-half (2.5) feet of a ten (10.00) foot Public Utilities Easement in Tract A, Safeway Addition No. 10, a subdivision in the City of Austin, Travis County, Texas. (Requested by Mr. Thomas J. Ellis, Planning Director for Genge/Murray-McCormick, representing Safeway Stores Incorporated, owners of said Tract A.)

The motion, seconded by Councilmember Lebermann, carried by the following vote:

- Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
- Noes: None
- Abstain: Councilmember Linn
- Absent: Mayor Friedman

Councilmember Himmelblau moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a Drainage and Public Utilities Easement in Lots 11 and 12, West Park Place, Amended, a subdivision in the City of Austin, Travis County, Texas. (Requested by Mr. B. F. Priest, Registered Public Surveyor, representing Jean MacDonald, owner of said Lots 11 and 12)

The motion, seconded by Councilmember Lebermann, carried by the following vote:

- Ayes: Councilmembers Linn, Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
- Noes: None
- Absent: Mayor Friedman

CONTRACTS AWARDED

Councilmember Linn moved that the Council adopt a resolution awarding the following contracts:

- Bid Award: - Sedans and Station Wagons, Vehicle and Equipment Services Department.
- BILL MUNDAY PONTIAC - Items 1 and 2 - \$567,462.35
1014 North Lamar
Austin, Texas
- JAY SMITH CHRYSLER-PLYMOUTH - Items 3.1, 3.2, 3.3, 4, 6, 7, and
841 West 6th Street 8 - \$131,333.00
Austin, Texas

The motion, seconded by Councilmember Lebermann, carried by the following vote:

- Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Linn
- Noes: None
- Absent: Mayor Friedman

APPLICATION TO THE TEXAS MUNICIPAL LEAGUE FOR SOCIAL POLICY

Councilmember Linn moved that the Council adopt a resolution for an application to the Texas Municipal League to develop local capacity for implementation of the anticipated social policy in the amount of \$95,000. (TML: \$70,000; local match: \$25,000) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Lebermann, Linn, Trevino
Noes: None
Absent: Mayor Friedman

City Manager Davidson noted the excellent presentation made by Councilmember Trevino to the Texas Municipal League Committee. Councilmember Trevino felt the credit should be shared with the entire Council and City staff.

ADOPTION OF REVISED CITY OF AUSTIN PERSONNEL POLICIES

Councilmember Linn requested that no action be taken on this matter but that a public hearing be conducted to allow input from the City employees on this.

Councilmember Linn moved that the Council set a public hearing on December 16, 1976 at 8:00 p.m. to consider adoption of the revised City of Austin Personnel Policies. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Lebermann, Linn, Trevino
Noes: None
Absent: Mayor Friedman

REVISION OF PAVING ASSESSMENT POLICIES

The Council had before it consideration of a revision of the Paving Assessment Policies. Mr. Reuben Rountree, Director of Public Works, reviewed the revision and stated that the Council requested alternatives and recommendations to tighten "loop holes" in the signing of inability to pay statements. After examining and considering the current paving policy adopted by the Council on November 6, 1975, Mr. Rountree recommended the change of only one word and that would be to insert the word "owner-occupied" instead of "owners of single-family" in the area to be assessed. He felt this change would alleviate most of the past problems. City Manager Davidson pointed out that this change is in no way a final change in the program, but that the Council may desire to suggest additional changes. Mr. Davidson felt that this particular change outlined by Mr. Rountree should be made at this time.

Councilmember Linn moved that the Council adopt a resolution revising the Paving Assessment Policies as outlined. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Linn, Trevino, Mayor Pro Tem Snell
Noes: None
Absent: Mayor Friedman

APPROACH MAIN CONTRACT

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the following Approach Main Contract:

JOHN B. AND PATRICIA W. VAUGHT - Authorization to construct an 8" wastewater approach main to serve the Resubdivision of Vaught Tract. (No participation cost to City)

The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor Pro Tem Snell, Councilmember Himmelblau
Noes: None
Absent: Mayor Friedman

ACCEPTANCE OF GRANT AWARD FOR PROJECT "METROPOLITAN AUSTIN CRIMINAL JUSTICE PLANNING UNIT"

Councilmember Linn moved that the Council adopt a resolution authorizing the acceptance of a grant award from the Texas Criminal Justice Division for the project entitled "Metropolitan Austin Criminal Justice Planning Unit," in the amount of \$35,844 Texas Criminal Justice support. (Program period: October 1, 1976, through September 30, 1977) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Lebermann, Linn, Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann
Noes: None
Absent: Mayor Friedman

SETTING PUBLIC HEARING ON MOPAC ENVIRONMENTAL/DESIGN STUDY

Councilmember Linn moved that the Council set a public hearing on January 20, 1977, at 7:30 p.m. to consider the MoPac Environmental/Design Study. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None
Absent: Mayor Friedman

MOPAC ENVIRONMENTAL/DESIGN STUDY REPORT

Mr. Bill Bulloch, Urban Transportation Department, stated that during the last four months the MoPac consultants have been working with citizens, board and commission members, and staff personnel in developing the MoPac Study Report that was distributed to the Council. He then introduced the consultants involved in preparing the report.

MS. KAREN ALSCHULER, Skidmore, Owings & Merrill, reviewed the report and noted that the study focuses on the actions which can be taken to minimize the adverse effects and maximize the benefits of MoPac. Both the urban design and transportation elements of this study have been based on a series of assumptions relating to future growth to 1995, transit use, and roadway extension policies. For all study purposes it has been assumed that MoPac would extend to Loop 360 in the south, and no farther, and to U.S. 183 in the north and no farther.

Another assumption relating to MoPac involved the Barton Skyway bridge and that beginning now until 1995 the City would have a policy not to build the bridge over Barton Creek and that the City would not extend Far West Boulevard to the east of MoPac. She noted that also included in the report was a traffic management scheme that is essential component of the program and a number of suggestions on drainage problems and how to avoid them.

Ms. Alschuler then presented to the Council a slide presentation showing just what was being recommended along the following lines:

1. Noise barriers
2. Landscaping
3. Pedestrian/Bicycle Crossings
4. Development Controls
5. Roadway Design or Modification
6. Traffic Management
7. Drainage Controls

In reviewing the total cost for all items concerned, Ms. Alschuler stated that the bottom line cost was approximately \$5,288,00 to \$6,024,000. She commented that with the possible exception of certain local street modifications, federal financial assistance is expected to be available for all proposed improvements through either the Primary or Urban Systems highway funding categories administered by the Federal Highway Administration. Each of these funding categories provides 70 percent Federal funding of allowable project costs. The remaining 30 percent of project costs can be met from state, or local, or a combination of state/local funds. In conclusion, Ms. Alschuler felt that the recommendations can be accomplished and should begin as soon as possible.

Councilmember Linn stated that this study was done after MoPac had already been constructed and asked Ms. Alschuler if this should have been done before the road was built. Ms. Alschuler stated it should have been done before. Councilmember Linn asked whenever the State Highway Department comes in and plans a large road such as MoPac for Austin, why does not the City require them to produce certain things and not allow a community to be split from a school.

MR. JOE TERNUS, Director of Urban Transportation, commented that the state participation on this project was at the City's request, and the procedures that were followed at the time were consistent with the art in roadway building. Councilmember Linn stated that she hoped this would be the last time the City would have to design a crossover for children after a road is built. Mr. Ternus agreed with this and felt the designs should be done in advance.

Mayor Pro Tem Snell thanked the consultants for the report and noted the Council's appreciation for this. Councilmember Linn noted her appreciation for the report and felt that with the implementation of the suggestions a fine roadway would be accomplished on the west side of the City; however, she expressed regret that the City did not plan as well on the east side when I. H. 35 was constructed.

BARBARA SILLY, 1114 Mariposa, expressed concern that the Highway Department would go beyond 183 to 290 and asked who would have the authority to make the decision. Councilmember Lebermann stated that the MPO could not override the City and the ATS has veto power.

Councilmember Himmelblau left the Council Chamber at this time.

ORDINANCE MODIFYING THE TRANSIT SYSTEM FARE STRUCTURE

The Council had before it for consideration modifying the Austin Transit System fare structure as follows:

1. Limiting the use of the free transfer to one transfer within two (2) hours of issuance.
2. Park and Ride fare will be 50 cents per one-way trip (including both Internal Revenue Service (IRS) and Central Business District (CBD) service.)

In reviewing the two recommendations before the Council, Mr. Joe Ternus, Director of Urban Transportation, stated that the current policy provides for unlimited transfers during a two-hour time limit on any bus. He noted that this has resulted in a misuse of transfers and also a loss in revenue to the transit system. He recommended that the policy be changed so that there would be one transfer during the two-hours on any bus. He felt this one transfer would accomplish three things:

1. Provide control of the transfers.
2. Generate revenue.
3. Provide information as to the origin and destination of ridership that will be a great asset to the Urban Transportation Department in structuring new routes.

The second modification involves an increase in the Park and Ride fare and the recommendation is that the one-way fare be increased to 50¢ and therefore the monthly pass would be established at \$17.00 and Park and Ride tickets would be established at \$5.00.

Councilmember Hofmann felt that this increase would be the beginning of a lack of ridership. Mr. Ternus felt that this would not cause a decrease in the ridership and explained that if the City is going to provide express service, then it should be at a higher rate than regular route service. He felt that most of a decline in ridership on the Park and Ride as a result of this recommendation would occur from people dropping from the Park and Ride service to a regular route service. Therefore, the ridership would not necessarily be lost. Mr. Ternus noted that if these recommendations are approved by the Council, the funds will be used to provide a relief bus for the University Hills route. Councilmember Hofmann reiterated her remarks that there would be a great possibility for a loss of ridership to the system altogether.

Councilmember Trevino expressed his concern about both of the recommendations and referred to the recommendation of the increase to 50¢. He felt this would speed up the decrease of ridership on the Park and Ride. Councilmember Trevino also noted the current traffic problem in the downtown area and felt that the recommendation would cause more people to drive downtown and thus add to the already bad traffic congestion. In referring to the limitation on the transfer to two hours, he stated that this limit would possibly discourage ridership.

Mr. Ternus stated that the current policy is for the two hours, but the request involves having just one transfer. He felt that the transfers are being accumulated and people are not paying their fair share. Mr. Ternus noted that this involved about 4% of 5% of the ridership. Councilmember Lebermann suggested changing the transfer system as outlined by Mr. Ternus, but leave the Park and Ride as it is currently operating. He felt the fares should be kept the same and possibly try other methods of increasing the revenue. Mr. Ternus stated that he would be glad to investigate specific locations and come back to the Council with a report.

Mayor Pro Tem Snell stated that he would like to have a report as to the reason for the delay and having to wait on funds received from this new increase in order to provide more service for University Hills. Mr. Ternus stated that there are not sufficient funds to provide a relief bus for that area. He suggested that there could possibly be other ways to provide this relief bus.

Motion - Failed

Councilmember Hofmann moved that the Council waive the requirement for three readings and pass an ordinance limiting the use of the free transfer to one transfer within two hours of issuance. The motion, seconded by Councilmember Lebermann, FAILED TO CARRY by the following vote:

- Ayes: Councilmembers Hofmann, Lebermann
- Noes: Mayor Pro Tem Snell, Councilmembers Linn, Trevino
- Absent: Mayor Friedman, Councilmember Himmelblau

Motion

Councilmember Trevino moved that the Park and Ride fare be maintained at 30¢ per one way trip. The motion, seconded by Councilmember Linn, carried by the following vote:

- Ayes: Mayor Pro Tem Snell, Councilmembers Hofmann, Lebermann, Linn, Trevino
- Noes: None
- Absent: Councilmember Himmelblau, Mayor Friedman

Councilmember Trevino also instructed the City Manager to try and find the necessary money to provide a relief bus for the University Hills. Deputy City Manager Homer Reed stated that the staff would prepare for the Council a current status report in relation to the budget so the Council could see the possible options in alleviating this problem. C

Mayor Pro Tem Snell stated that he would also like a report on another alternative that could be used in eliminating the misuse of transfers.

ADOPTION OF DOG LEASH LAW

Councilmember Hofmann stated that there had been a public hearing on October 14, 1976, to consider the proposed new version of the leash law. About 50 recommendations which had been made at that time were taken under advisement. A committee composed of all City departments involved with enforcement of the ordinance had reviewed the recommendations and had incorporated into the ordinance those recommendations which seemed to be reasonable. Implementation of the new ordinance would cost very little additional money. Public input had been easily 95% positive for more strongly enforced animal control along with the removal of voice control. Input from senior citizens had been 99% positive for stronger animal control.

YVONNE BONAMICHI read a statement to the Council which expressed her general disagreement with the proposed ordinance. Councilmember Hofmann responded to several of Ms. Bonamichi's comments and suggestions. Councilmember Hofmann stated that following the recommendation of Councilmember Himmelblau, she agreed that implementation of the ordinance after passage should be delayed for 60 days. In that time dog owners would have time to build fences and vaccinate their pets. The City Manager would also have time to gear up for enforcement of the ordinance.

DOYLE NORDYKE, Austin-Travis County Humane Society, explained that the three-day provision in the ordinance actually amounted to five days because the first day was excluded, and no disposition was made until the fifth day. In response to Councilmember Trevino's question, Mr. Nordyke stated that if the dog owner would come in and identify the dog, then arrangements could be made to hold the dog beyond the three-day provision.

CHARLES BLUNTZER, Legal Department, pointed out that Ms. Bonamichi had read from an older draft of the proposed ordinance. The draft before the Council contained some of the changes proposed by Ms. Bonamichi.

MRS. MILTON WAGHALTER expressed her concern over letting vicious dogs run loose. She asked that the Council pass the ordinance.

WOODROW SLEDGE, spoke on the subject of worms in dogs, and the danger to children who come in contact with dog feces. He asked the Council to pass whatever could be enforced.

HELEN BURKHART, spoke against letting dogs run loose. She felt that it was an inversion of values when dogs became more important than people. Councilmember Hofmann stated that she had visited several East Austin schools recently. In two classes she asked the children to raise their hands if they had been bitten by a dog and almost all of the children indicated that they had been bitten.

DILA DAVIS asked that the per offense impoundment fee be levied separately and automatically and not be tied to the daily fee. Her concern was that owners would not pick up their dogs and that more dogs would be put to death if the owners had to pay the per offense fee before being able to reclaim their dogs. She also requested that the first offense impoundment fee be waived.

JIM COX spoke against the proposed ordinance.

JIM ROCK, a cat owner, asked that the ordinance not be read through three readings today so that more cat owners could come forward and voice their opposition. He asked that the part of the ordinance covering the wearing of tags by cats be stricken.

FATHER JOE ZNOTAS supported Ms. Davis' concept of a probationary period for dogs on the first offense. He was particularly concerned about poor dog owners in East Austin who could not afford the impoundment fee.

HELEN BURKHART felt that the first offense impoundment fee should be \$30, second offense \$50 and third offense \$100. The burden of responsibility should be on the dog owners and not on the people on the street. She hoped that there would be strict enforcement of the ordinance.

Councilmember Hofmann stated that she was willing to strike the provision requiring the wearing of tags by cats. She pointed out that if the ordinance passed, it would not be effective until 60 days from now.

Mayor Pro Tem Snell introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 5 OF THE AUSTIN CITY CODE OF 1967 BY REPEALING ARTICLE II AND IN LIEU THEREOF SUBSTITUTING A NEW ARTICLE II, "DOGS AND CATS"; PROVIDING FOR THE CONTROL OF DOGS AND CATS; PROVIDING FOR THE VACCINATION AND REGISTRATION OF SAID ANIMALS; PROVIDING FOR THE ISSUANCE OF CITATIONS FOR VIOLATIONS OF ARTICLE; PROVIDING FOR CITY SPONSORED REGISTRATION DRIVES; PROVIDING PROCEDURES FOR REVOCATIONS OF REGISTRATIONS; PROVIDING FOR IMPOUNDMENT PROCEDURES AND FEES; REGULATING GUARD DOG OPERATIONS; PROVIDING PROCEDURES FOR HANDLING OF ANIMALS WHICH HAVE BITTEN A PERSON; PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ARTICLE; SUSPENDING THE RULE REQUIRING AN ORDINANCE TO BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Hofmann moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, excluding the requirement for cats to wear tags. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor Pro Tem Snell

Noes: None

Absent: Mayor Friedman, Councilmember Himmelblau

The Mayor Pro Tem announced that the ordinance had been finally passed.

POSTPONEMENT OF ORDINANCE DESIGNATING LOCATIONS WHERE DOGS MAY RUN LOOSE

Councilmember Hofmann stated that she asked the Directors of the Parks and Recreation Department to designate areas within certain parks of the City where dogs may roam loose without being on a leash. Since first talking to Mr. Robinson, there had been additional input regarding which areas should be available for the dogs. During the 60-day period before the dog leash law became effective it was felt that the time should be used to review which areas should be used for the dogs. Councilmember Hofmann asked that consideration of the ordinance be postponed at this time.

ZONING ORDINANCES

Mayor Pro Tem Snell introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: LOT 1, MARJO ADDITION, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SIXTH HEIGHT AND AREA DISTRICT; AND, TRACT 2: LOT 2, MARJO ADDITION, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS 6701 CAMERON ROAD, AND ALSO BOUNDED BY ATHLETIC DRIVE AND U. S. HIGHWAY 290; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (John Joseph, C14-76-060)

Councilmember Linn moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Pro Tem Snell, Councilmembers Hofmann, Lebermann

Noes: None

Absent: Mayor Friedman, Councilmember Himmelblau

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Snell introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT A, RESUBDIVISION OF A PORTION OF LOT 8, BLOCKER'S ADDITION TO FORTVIEW, LOCALLY KNOWN AS 712-714 SHELBY LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (P. M. Bryant, C14-70-001)

Councilmember Linn moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Lebermann, carried by the following vote:

- Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmembers Hofmann, Lebermann, Linn
- Noes: None
- Absent: Mayor Friedman, Councilmember Himmelblau

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Snell introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1 AND 2, S & G ADDITION, LOCATED ON MC KALLA DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (S & G Construction Company, C14-73-253)

Councilmember Linn moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Lebermann, carried by the following vote:

- Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmembers Hofmann, Lebermann, Linn
- Noes: None
- Absent: Mayor Friedman, Councilmember Himmelblau

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Snell brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: LOT 1 OF THE RESUBDIVISION OF A PORTION OF LOTS 4, 5, 6, 7, AND 8, NORTH END ADDITION, AND A PORTION OF OUTLOT 76, DIVISION "D," AND THE VACATED GAFFNEY STREET, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIFTH HEIGHT AND AREA DISTRICT; AND,

TRACT 2: LOT 2 OF THE RESUBDIVISION OF A PORTION OF LOTS 4, 5, 6, 7, AND 8, NORTH END ADDITION, AND A PORTION OF OUTLOT 76, DIVISION "D," AND THE VACATED GAFFNEY STREET, AND LOT 9, OUTLOT 76, NORTH END ADDITION, FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT AND "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

LOCALLY KNOWN AS 901-903 WEST 38TH STREET AND 802-806 WEST 37TH STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Pilot Life Insurance, C14-76-090)

The ordinance was read the first time, and Councilmember Trevino moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Lebermann, carried by the following vote:

- Ayes: Mayor Pro Tem Snell, Councilmembers Hofmann, Lebermann, Trevino
- Noes: Councilmember Linn
- Absent: Mayor Friedman, Councilmember Himmelblau

The Mayor Pro Tem announced that the ordinance had been passed through its first reading only.

DISCUSSION OF ECONOMIC GROWTH COMMISSION - POSTPONED

Mayor Pro Tem Snell noted that Council discussion of an Economic Growth Commission had been postponed.

FEASIBILITY STUDY ON ESTABLISHING SUB-STATIONS TO RELIEVE CONGESTION AT WATER AND LIGHT OFFICE

Councilmember Trevino made the following statement and motion:

"As the present curtailment reminds us during the last four years, fuel sources for our electric utility have been often scarce and always expensive. The Council has embarked on a number of long-range projects which hopefully will alleviate fuel supply problems and thereby lower consumer costs. But rising electric bills remain a central concern. Several months ago, the Council hired a consultant firm to examine the feasibility of the Mayor's Commission proposal for a new rate structure. I urge the staff to instruct those consultants to report on their findings to the Council as soon as possible. Our citizens are most anxious to learn whether the new rates can offer relief from increasingly expensive electric bills.

In addition to the high cost of energy (a problem mostly beyond the City's control), our utility customers are encountering another problem--one which I believe the Council can do something about. Both walk-in and phone congestion at our 9th Street Water and Light Office has become unacceptable. The experience of being put on "hold" for long periods of time is too common, while traffic around the Travis Building is a problem, my office has been investigating a number of approaches to remedy this situation. As a result, I am offering the following motion for the Council's approval:

"That the staff be instructed to bring back as soon as possible the details of cost, location and other appropriate information regarding the establishment of an experimental local sub-station of the Water and Light Office to handle a full range of customer services, and that this office be operated for ninety days and studied as to the feasibility of operating such sub-stations in several sectors of the City on a more permanent basis."

I hope that the Council will act favorably on this proposal. I believe that this decentralized approach to handling Water and Light Office business can eliminate the inconvenience which many citizens are currently experiencing. Mr. Standifer and Mr. Erdmann are present to answer questions on the nature of the operation I am proposing."

Councilmember Trevino's motion was seconded by Councilmember Lebermann, and carried by the following vote:

- Ayes: Mayor Pro Tem Snell, Councilmembers Hofmann, Lebermann, Linn, Trevino
- Noes: None
- Absent: Mayor Friedman, Councilmember Himmelblau

Councilmember Trevino explained that if the procedure is acceptable to the Council then the sub-stations would operate on a 90-day or longer basis.

RESTRUCTURING OF ACCOUNTING SYSTEMS FOR ELECTRIC, WATER AND WASTEWATER UTILITIES AND BRACKENRIDGE HOSPITAL - POSTPONED

Mayor Pro Tem Snell noted that discussion of this item had been postponed until a later date.

GRANT AGREEMENT CONTRACT REQUIREMENTS

Councilmember Trevino moved that the Council delete items (2), (3), and (4) under "General Conditions" in the Grant Agreement Contract as follows:

1. Each agency shall develop a contractual goal detailing a strategy for pursuing funding with the assistance of the Human Resources Department.

- 2. Each agency applying to the City for Fiscal Year 1978 funding for services shall show evidence of having applied for funds from sources other than the City, and the status of the funding applications prior to the City's acceptance of its application.
- 3. In the event deletion of item number 4, in its entirety, is unacceptable, the following wording is proposed:

"Each agency applying to the City for Fiscal Year 1978 funding shall submit a 3-year plan to demonstrate that the City's funding will be minimized to the maximum extent possible."

The motion, seconded by Councilmember Hofmann, carried by the following vote:

- Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor Pro Tem Snell
- Noes: None
- Absent: Mayor Friedman, Councilmember Himmelblau

DRAINAGE COMPLAINT/MRS. ESTEFANO CARRASCO ST. ELMO ROAD

City Manager Davidson noted the Council had been furnished with a copy of the report from the Engineering Department concerning Mrs. Carrasco's complaint and how an interim solution for the drainage complaint could be facilitated. Since Mrs. Carrasco had to leave the meeting, City Manager Davidson suggested that Mr. Charles Graves, Director of Engineering, contact Mrs. Carrasco about this interim solution and report back to Council.

AMENDMENT TO E.E.R. ORDINANCE ON CERTIFICATION OF AIR CONDITIONING EQUIPMENT

MR. MAC HOLDER, Chairperson of the Energy Conservation Commission, recommended that the following paragraph be inserted in the EER Ordinance as an amendment:

"In cases where ARI certification is not available, due to the system being composed of a combination of equipment not listed in the ARI Directory of Certified Unitary Air-Conditioners, Unitary Heat Pumps, Sound-Rated Outdoor Unitary Equipment, and Central System Humidifiers, equipment may be installed so long as the specific equipment has been certified by a Texas Registered Professional Engineer as meeting the EER requirements."

Councilmember Linn moved that the Council approve the insertion of the aforementioned paragraph in the EER Ordinance as an amendment. The motion, seconded by Councilmember Trevino, carried by the following vote:

- Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor Pro Tem Snell
- Noes: None
- Absent: Mayor Friedman, Councilmember Himmelblau

APPROACH MAIN POLICY REPORT - JOINT APPROACH
MAIN COMMITTEE

MR. DON WALDEN, Chairman of the Joint Approach Main Committee, noted that the Council had a copy of the Approach Main Policy that had now been put into proper form as a resolution. He stated that there had only been a few changes in the policy. One of the changes involved the "Definition of Approach Mains", and Mr. Walden pointed out that the Approach Main Policy does not apply to single-family lots; and that the Approach Main Policy would not apply when the Water and Wastewater Department requirements involve a minor extension of a water line to complete a grid when the proposed subdivision already has water service available. In the section regarding Public Bids, Mr. Walden noted that if there is no City participation in the pay back, then there would be no reason to go through the public bidding process.

Mr. Walden noted that there would be a public hearing on the guidelines for environmental studies in the near future and finally filed with the City Clerk. City Manager Davidson complimented the work that had been done by Mr. Walden and the City staff regarding this Approach Main Policy.

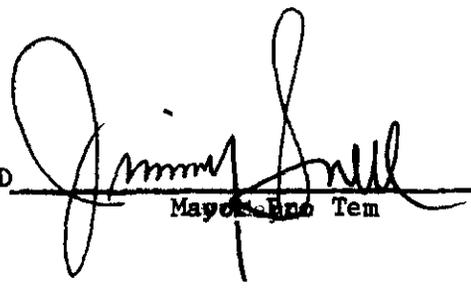
PERSONNEL POLICIES

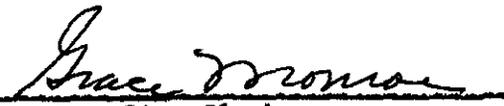
Councilmember Trevino noted that some concern had been expressed about the Personnel Policies and the City Charter. Assistant City Attorney Don Wolf referred to the City Charter regarding Personnel Policies and noted that since a public hearing had been set for December 16, 1976, the City Manager could re-present the policies for Council action. He stated that these would die a natural death after 30 days. Another concern would be as to when that 30-day period would start, either on November 8 or the 23, 1976. If the 30-day period starts on the 23rd, then the Council would have no problem in acting on December 16. If the period runs from the 8th, then the City Manager would have to resubmit the Policies to the Council for consideration.

City Manager Davidson stated that he resented this being raised at this time, because he had already advised the Council that the time these policies are adopted is of no concern to him. Whatever time the Council desires to take in considering the policies would be fine with him. Mr. Davidson stated that he was aware of the Charter provision and felt it would not be a problem.

ADJOURNMENT

The Council adjourned at 5:50 p.m.

APPROVED 
Mayor Jimmy Snell

ATTEST:

City Clerk